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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/768,710	01/24/2001	Harry C. Morris	DMBC-0003	2728

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EXAMINER
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ZIMMERMAN, JOHN J

ART UNIT	PAPER NUMBER
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1775

DATE MAILED: 04/28/2003

12

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/768,710

Applicant(s)

MORRIS, HARRY C.

Examiner

John J. Zimmerman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 and 6-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 6-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **THIRD OFFICE ACTION**

### ***Request for Continued Examination (RCE)***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 10, 2003 has been entered.

### ***Amendment***

2. The request for continued examination requested entry of the amendment filed with Reply Under 37 CFR 1.116 received March 4, 2003. This amendment has been entered and claims 1 and 6-8 are pending in this application.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 8 is rejected under 35 U.S.C. 102(a) as being anticipated by Calnan (U.S. Patent 3,490,314).

5. Calnan discloses electrolessly plating nickel on the entire surface of carbon steel strips which are made into blades (e.g. see column 2, lines 8-11, 65-69).

6. Claims 1, 6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Sanpei (Japanese publication 04-070343) or Kaneko (EP 0 869 200 A2).

7. Sanpei discloses coating a coiled steel blade with a coating including electroless nickel (e.g. see figures 1-4). Kaneko discloses a prior art process of coating a coiled steel blade with a coating including electroless nickel (e.g. see page 2, lines 25-30). In addition, Kaneko discloses an improved process of electrolessly plating nickel containing compositions on doctor blades which are spirally wound (e.g. see claims 1-7).

8. Claims 1, 6 and 8 are rejected under 35 U.S.C. 102(a) as being anticipated by Kaneko (U.S. Patent 6,027,765).

9. Kaneko discloses a prior art process of coating a coiled steel blade with a coating including electroless nickel (e.g. see column 1, lines 29-47). In addition, Kaneko discloses an

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improved process of electrolessly plating nickel containing compositions on doctor blades which are spirally wound (e.g. see claims 1-4).

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sanpei (Japanese publication 04-070343), Kaneko (EP 0 869 200 A2) or Kaneko (U.S. Patent 6,027,765), in view of Nomura (U.S. Patent 6,059,881).

12. Sanpei discloses coating a coiled steel blade with a coating including electroless nickel (e.g. see figures 1-4). Kaneko (EP 0 869 200 A2) discloses a prior art process of coating a coiled steel blade with a coating including electroless nickel (e.g. see page 2, lines 25-30). In addition, Kaneko discloses an improved process of electrolessly plating nickel containing compositions on doctor blades which are spirally wound (e.g. see claims 1-7). Kaneko (U.S. Patent 6,027,765) discloses a prior art process of coating a coiled steel blade with a coating including electroless nickel (e.g. see column 1, lines 29-47). In addition, Kaneko discloses an improved process of electrolessly plating nickel containing compositions on doctor blades which are spirally wound

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(e.g. see claims 1-4). Sanpei and Kaneko may differ from claim 7 in that they may not show a specific embodiment of a doctor blade with a square edge. Nomura, however, clearly shows that coater blades are conventionally made in beveled or square edge shapes (e.g. see blades in Figures 2 and 3). In view of Nomura, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the blades of Sanpei or Kaneko in either beveled or square edge shapes because Nomura shows these shapes to be obvious variations on coater blade edges in the art.

13. Claims 1 and 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Calnan (U.S. Patent 3,490,314) in view of Sanpei (Japanese publication 04-070343) or Kaneko (EP 0 869 200 A2).

14. Calnan discloses electrolessly plating nickel on the entire surface of carbon steel strips which are made into blades (e.g. see column 2, lines 8-11, 65-69). Calnan discloses that the cutting edge may be beveled. It would be understood that the non-cutting edge would remain square since it is not sharpened. Thus the strip would have one beveled edge and one square edge. Calnan may differ from the claims in that Calnan may not disclose that his continuous steel strip is coiled. Sanpei (e.g. see Figure 1) and Kaneko (see Figure 1), however, clearly show that when plating continuous strips for blades, it is obvious to coil the strips. In view of Sanpei and Kaneko, it would have been obvious to one of ordinary skill in the art at the time the invention was made to coil the continuous steel strip of Calnan because Sanpei shows that this

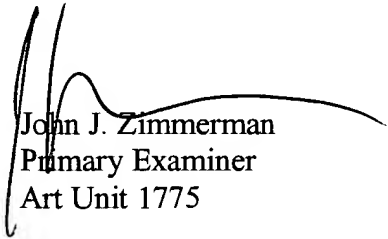
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makes the strip fit more easily in the electroless plating bath container and Kaneko shows that coiling can take up the strip on reels to facilitate continuous production.

***Conclusion***

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. For example, Perez (U.S. Patent 6,431,066) is cited to show that it is understood in the art that carbon steel is typically a base material for doctor blades and that various edge designs, e.g. bevel, rounded, etc. . . , are typical (e.g. see column 1, lines 37-52).

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John J. Zimmerman whose telephone number is (703) 308-2512. The examiner can normally be reached on 8:30am-5:00pm, M-F. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.



John J. Zimmerman  
Primary Examiner  
Art Unit 1775

jjz  
April 18, 2003